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COLOR STREET, LLC Plaintiff, vs. AUDERE, INC. AND SALVATORE (A.K.A. TONY OR ANTONIO) FERRARO Defendants.	UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY 22-cv-2267 Civil Action DEFENDANT’S NOTICE OF REMOVAL
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TO: CLERK OF THE ABOVE-ENTITLED COURT:

PLEASE TAKE NOTICE that Defendants Audere, Inc. and Salvatore (a.k.a. Tony or Antonio) Ferraro, hereby remove to this Court the state court action described below and filed by Plaintiff Color Street LLC. The statutory basis for removal is diversity of citizenship pursuant to 28 U.S.C. §§ 1332, 1441(a), and 1446.

1. On March 15, 2022, Plaintiff filed a case in the Superior Court of New Jersey, Chancery Division – General Equity, Bergen County, entitled Color Street LLC v. Audere, Inc. and Salvatore (a.k.a. Tony or Antonio) Ferraro, Case No. C-50-22 (the “Removed Case”). A true and correct copy of the Summons and Complaint is attached as Exhibit A.
2. Removal of the Removed Case is timely. Defendant Ferraro was first served on March 19, 2022. Defendant Audere was first served on March 22, 2022. This Notice of Removal is

being filed and served within 30 days of Defendants' initial notice of Plaintiff's Complaint.

28 U.S.C. § 1446(b)(1).

3. This Court has original jurisdiction over Plaintiff's claims on the basis of diversity of citizenship and because the amount in controversy exceeds \$75,000, pursuant to the provisions of 28 U.S.C. § 1332(a).
4. Plaintiff is a New Jersey limited liability company with a principal place of business in New Jersey. Ex. A, Complaint at ¶ 9.
5. Defendant Audere is a Nevada corporation with a principal place of business in Idaho. Id. at ¶ 10.
6. Defendant Ferraro is an individual who resides in North Carolina. Id. at ¶ 11.
7. Plaintiff's Complaint alleges that it seeks damages in excess of \$75,000. Specifically, Plaintiff's Complaint alleges that "[t]he damages to Color Street caused by Defendants are believed to be in excess of \$5 million thus far." Id. at ¶ 1.
8. Plaintiff's Complaint sets forth seven claims for relief, including tortious interference, violation of the New Jersey Trade Secrets Act, misappropriation of trade secrets, unfair competition, unjust enrichment, and a request for injunctive relief.
9. Plaintiff's Complaint seeks compensatory damages, punitive damages, statutory damages, consequential damages, attorneys' fees, costs, and pre- and post-judgment interest. Id. at ¶¶ 30-32.
10. As required by 28 U.S.C. § 1446(d), and as reflected in the Certificate of Service for this Notice, Defendants are providing prompt written notice to Plaintiff of removal of this action to federal court through service upon its counsel of record. Defendant is also filing a copy of

this Notice of Removal with the Clerk of the Superior Court of New Jersey, Chancery Division – General Equity, Bergen County, from which this action is removed.

11. Defendant Audere, Inc. and Defendant Salvatore (a.k.a. Tony or Antonio) Ferraro are the only named defendants in this action.

DATED this 18th day of April, 2022.

Respectfully submitted,

/s/ Thomas Ambrosio

Thomas Ambrosio

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